

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAVERNE JOHNSON,
Petitioner,

v.

RON BROOMFIELD, Warden at San
Quentin State Prison

Respondent.

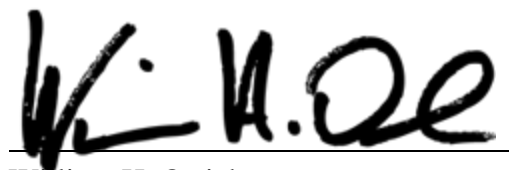
Case No. 95-cv-00305-WHO

**ORDER REQUESTING JOINT
STATEMENT**

On May 13, 2014, the Court deferred ruling on claims M and AA, which challenge the constitutionality of California's death penalty statute, and claim BB, which challenges the adequacy of the California Supreme Court's review of capital cases, pending the resolution of similar claims raised by Troy Ashmus in *Ashmus v. Martel*, C-93-0594 (N.D. Cal.). ECF Dkt. No. 236. Ashmus was exhausting his claims in state court when he died on July 20, 2020. *See Ashmus*, ECF Dkt. No. 594. Due to his death, Ashmus' federal habeas petition was dismissed. ECF Dkt. No. 594. Claims M, AA and BB, as well as claims Z, DD, X and N are the only remaining claims of petitioner's petition. ECF Dkt. No. 242. The Court hereby directs the parties to submit a joint statement proposing a litigation schedule for these remaining claims within 60 days of the date of this Order. A case management conference will be scheduled if necessary.

IT IS SO ORDERED.

Dated: April 20, 2021



William H. Orrick
United States District Judge